

all impurities in the blood. * * * Eradicates all blood impurities from the system no matter from what cause. Eczema, Salt Rheum, Pimples, and Unsightly Skin Eruptions of all kinds quickly disappear. Improves general health by toning up the system, creating a natural appetite and helping the stomach and intestines to care for the food so that the best nourishment results. Help the * * * kidneys to remove waste matter," were false and fraudulent, since the said articles contained no ingredients or combinations of ingredients capable of producing the effects claimed. It was further alleged in the libel that the said Dr. Musser's original capsules contained, in a circular with which they were inclosed, a false and fraudulent statement regarding the said Dr. Musser's red capsules, which said false and fraudulent statements were intended to be read in connection with the said Dr. Musser's red capsules, which statements were as follows: "Dr. Musser's Red Capsules. This item is the last addition to Dr. Musser's famous remedies. Impure blood not only adds to the danger of Venereal Infection, but plays an important part in retarding the cure, and if a prompt and satisfactory cure can not be had it is certain that the cause is impure blood. In any case during the course of the disease, or after, Red Capsules help the cure and put the system in condition to prevent return. We do not claim them as a cure for constitutional conditions, but do claim that they will relieve or at least keep the system in good condition. In ordinary cases of chancres, if burned with caustic, Red Capsules will do much toward preventing infection. Red capsules are an elegant tonic, giving vim and energy, clearing the skin and developing a natural appetite. All these tonic qualities do much to restore lost manhood."

On April 16, 1928, no claimant having appeared for the property, judgment was entered finding the products subject to confiscation and ordering that they be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15910. Misbranding of Dr. Musser's injection Rx 500, Dr. Musser's red capsules, and Dr. Musser's original capsules. U. S. v. 12 Bottles of Dr. Musser's Injection Rx 500, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22240. S. No. 165.)

On December 8, 1927, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 12 bottles of Dr. Musser's injection Rx 500, 11 boxes of Dr. Musser's red capsules, and 26 boxes of Dr. Musser's original capsules, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the articles had been shipped by the Musser-Reese Chemical Co., from Latrobe, Pa., in part on or about May 14, 1927, and in part on or about July 27, 1927, and had been transported from the State of Pennsylvania into the State of Minnesota, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that Dr. Musser's injection Rx 500 consisted essentially of a solution of boric acid and zinc sulphate in water, colored with a yellow dye; that Dr. Musser's original capsules contained volatile oils, including santal and nutmeg oils, and copaiba balsam; and that Dr. Musser's red capsules contained compounds of arsenic, iron, calcium, and strychnine, and an extract from a laxative plant drug.

It was alleged in the libel that the articles were misbranded in that the following statements regarding the curative and therapeutic effects of the articles were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Dr. Musser's injection Rx 500, carton) "An Antiseptic Wash for all Forms of Membrane Inflammation. Guaranteed not to do harm, yet so effective that improvement is seen after a few injections or applications * * * Dr. Musser's Injection Rx is a modern and scientific remedy for all stages of Membrane Inflammations. It positively will not do harm, and when used as directed will stop suffering and pus formations in one or two days. It is a companion of Dr. Musser's Capsules and the combined treatment is a boon to the suffering manhood;" (Dr. Musser's red capsules, carton) "Scientific remedy for all blood disorders;" (circular) "A modern and scientific remedy which thoroughly searches out all impurities in the blood * * *. Eradicates all blood impurities from the system no matter from what cause. Eczema, Salt Rheum, Pimples, and Unsightly Skin Eruptions of all kinds quickly disappear. Improves general health by toning up the system, creating a natural appetite, and helping the stomach and intestines to care for the food so that best nourishment results;" (Dr. Musser's

original capsules, container) "Inflammation of Kidneys and Bladder Relieved. If directions are followed, will effect a permanent relief in every case;" (circular) "Be persistent with treatment for at least two weeks following improvement. It is advisable to continue taking Dr. Musser's treatment for that length of time to insure permanent relief. Dr. Musser's Capsules are possibly the best known remedy and are as prompt in their effect as possible for safety, yet we do not claim that one or two boxes are always sufficient. A great mistake often made is to stop the treatment too soon. This leaves the organs tender and possibly some condition, which further treatment would remove and prevent, returns which is more severe and stubborn to cure than the original condition. It is often quite necessary to continue the treatment for two weeks after all trouble seems to be removed. We cannot impress too strongly the good effect of combining the use of Dr. Musser's Injection Rx 500 with the capsules. This is thoroughly an antiseptic and healing agent which expedites the cure and creates an antiseptic condition much desired. Do not use without capsules. If only one is used be sure to use capsules, but the combined treatment is time, money, and inconvenience saved."

On May 10, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15911. Adulteration and misbranding of Rheu-Salic tablets, heart tonic tablets, laxative cold tablets, rheumatic compound, Migratone, anti-rheumatic tablets, Methalgine Comp, tablets, diarrhoea tablets, Methalgine Comp. capsules and sodium salicylate tablets. U. S. v. Waterbury Chemical Co. Plea of guilty. Fine, \$1,000. (F. & D. No. 22555. I. S. Nos. 6332-x, 6333-x, 6334-x, 7712-x, 7714-x, 7716-x, 7737-x, 7739-x, 7767-x, 7769-x.)

On May 24, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Waterbury Chemical Co., a corporation, trading at New York, N. Y., alleging shipment by said company, in violation of the food and drugs act, on or about July 20, 1926, from the State of New York into the State of Pennsylvania, of quantities of Rheu-Salic tablets, heart tonic tablets, and laxative cold tablets, on or about August 7, 1926, from the State of New York into the State of Maryland, of quantities of Methalgine Comp. capsules and sodium salicylate tablets, on or about September 24 and November 9, 1926, respectively, from the State of New York into the State of Maine, of quantities of rheumatic compound, Migratone, anti-rheumatic tablets, Methalgine Comp. tablets, and diarrhoea tablets, which said products were adulterated and misbranded. The articles were labeled in part, variously: "Poison Rheu-Salic Acetphenetidin 2 Grs. * * * Magnesium Salicylate 3 Grs. * * * Waterbury Chemical Co. Des Moines New York Toronto;" "Heart Tonic Tablets * * * Nitroglycerin 1-100 Gr.;" "Laxative Cold Tablets Acetanilid 1 Gr. Quinine Sulphate 1 Gr.;" "Waterbury's Rheumatic Compound (Simirheuma) * * * Sodium Salicylate (True) 40 Grs. In Each Fluid Ounce;" "Migratone * * * Each Fluid Ounce Contains * * * Caffein 7 Grains;" "Anti-Rheumatic Tablet Acid Salicylic 3 Gr.;" "Methalgine Comp. Modified (Anti-Pain) * * * Morphine Sulph 1-20 Gr.;" "Diarrhoea Tablets Morphine Sulph. 1-20 Gr.;" "Waterbury's Methalgine Comp. (Capsulated) Anti-Pain Morphine Sulph. 1-20 Gr. Acetanilid 1 Gr. Acetphenetidin 1 Gr. * * * Sod. Salicylate 2 Gr.;" "Compressed Tablets Sodium Salicylate 5 Grains."

It was alleged in the information that the articles were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in that each of the Rheu-Salic tablets was represented to contain 2 grains of acetphenetidin and 3 grains of magnesium salicylate, whereas each of said tablets contained not more than 1.55 grains of acetphenetidin and not more than 1.49 grains of magnesium salicylate; each of the heart tonic tablets was represented to contain 1/100 grain of nitroglycerin, whereas each of said tablets contained not more than 0.00031 grain (1/3200 grain) of nitroglycerin; each of the laxative cold tablets was represented to contain 1 grain of acetanilid and 1 grain of quinine sulphate, whereas each of said tablets contained not more than 0.656 grain of acetanilid, and not more than 0.654 grain of quinine sulphate; each fluid ounce of the rheumatic compound was represented to contain 40 grains of sodium salicylate, whereas each fluid ounce contained not more than 29.73 grains of sodium salicylate; each